

Committee on Resources

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TESTIMONY OF MARSHALL JONES, DEPUTY DIRECTOR, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE RESOURCES SUBCOMMITTEE ON FISHERIES CONSERVATION, WILDLIFE AND OCEANS REGARDING H.R. 2048 AND THE U.S. - RUSSIA POLAR BEAR AGREEMENT

May 22, 2003

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to provide the testimony of the U.S. Fish and Wildlife Service regarding H.R. 2048, the "International Fisheries Reauthorization Act of 2003" and the U.S. - Russian Polar Bear Agreement. I am Marshall Jones, Deputy Director of the U.S. Fish and Wildlife Service.

We look forward to working with the Subcommittee to reauthorize the Yukon River Salmon Act of 2000 and with regards to ratifying and developing implementing legislation for the U.S. - Russia Polar Bear Agreement.

H.R. 2048

After 16 years of deliberation between the U.S. and Canada, negotiators reached an agreement in March 2001, on catch shares and conservation measures for Canadian-origin salmon harvested by U.S. and Canadian fishers. The Agreement, which amends Annex I and IV of the Pacific Salmon Treaty, was signed as an Executive Agreement at a ceremony in Washington D.C. in December 2002.

The Agreement establishes a Yukon River Panel, comprised of representatives from the U.S. and Canada, to make recommendations to management entities on both sides of the border concerning the conservation and management of salmon originating in the Yukon River in Canada. In the U.S. the Panel consists of a representative of the State of Alaska (chair), the Federal Government, and four members from communities along the Yukon River. The U.S. Fish and Wildlife Service is currently the Federal Government's representative and the alternate representative is from NOAA Fisheries. Technical support to the Panel is provided by the Joint Technical Committee (JTC) on which the U.S. Fish and Wildlife Service has membership.

The Agreement also establishes the Yukon River Salmon Restoration and Enhancement Fund to support projects, on either side of the Alaska-Yukon border, that contribute to the restoration, conservation, enhancement, and stewardship of Canadian-origin salmon. The U.S. agreed to make annual contributions of \$1.2 million to the Fund beginning in FY 2002 subject to the availability of appropriations. About 60 projects are funded annually from this Fund. Projects are conducted by Yukon River drainage residents and fishers; agencies do not compete for these funds.

A large portion of Canadian-origin salmon are harvested by U.S. fishers; U.S.-origin fish are also harvested by U.S. fishers. Fulfilling U.S. commitments of the Agreement requires an enhanced understanding of Yukon River salmon stocks to ensure that escapements to the Canadian border are achieved without unnecessarily limiting harvests of U.S. and Canadian-origin salmon in U.S. waters. The Joint Technical Committee is currently developing a joint research and monitoring plan for Yukon River salmon stocks to address this need.

The U.S. Fish and Wildlife Service participated in these negotiations and is now working with the State of Alaska, U.S. fishers, Department of Commerce, and Canada under the Agreement to rebuild depressed Canadian-origin salmon populations and to bolster efforts to protect and restore spawning and rearing habitats in Canada.

The Yukon River Salmon Act of 2000 authorizes \$4 million for implementing U.S. obligations under the Agreement. We believe that this is an important measure and support reauthorization of the Yukon River Salmon Act of 2000.

U.S. - Russia Polar Bear Agreement

Amendments to Section 113(d) of the Marine Mammal Protection Act enacted in 1994 authorize the Service, for the United States, to enter into negotiations with Russia to enhance the conservation and management of polar bear stocks. We have acted on this authorization. Since 1990, the Service has worked to improve cooperative research and management programs with Russia for the conservation of polar bears. Significant progress has been made in this effort. Building on this progress, United States and Russian representatives negotiated a bilateral agreement on the conservation and management of the shared Chukchi/Bering Seas polar bear population in February 1998. That agreement was signed by the two nations in Washington, D.C., on October 16, 2000.

The proposed U.S.-Russia Agreement would establish a common legal, scientific, and administrative framework for the conservation and management of the Alaska-Chukotka polar bear population. A particular concern addressed by the agreement is the widely different harvest provisions and practices of the U.S. and Russia. Despite the 1956 all-union ban on hunting polar bears in Russia, harvest is now occurring at levels that, combined with the legal subsistence harvest in Alaska, could deplete the population. While lawful harvest by Alaska Natives for subsistence purposes occurs in Alaska, United States law does not allow restrictions of this harvest unless a polar bear population becomes "depleted" under the MMPA. In Russia, the Agreement has been approved through their political process; administrative steps necessary prior to implementation are underway and will be completed soon. When this happens, there will be a need for the coordination of harvest restrictions on both sides of the border to prevent an unsustainable combined harvest that could lead to the Alaska-Chukotka polar bear population becoming depleted under the MMPA and listed under the Endangered Species Act. The Agreement will create a management framework to prevent this from happening.

The Administration submitted the Agreement to the United States Senate for advice and consent on July 11, 2002, but additional steps may need to be taken before the United States Government will proceed to bring the Agreement into force: enactment of necessary implementing legislation and promulgation of regulations.

The Administration is preparing draft legislation to implement the Agreement, which is undergoing review by the various agencies involved with the process. The implementing legislation will be fully consistent with the 1973 multilateral agreement on the Conservation of Polar Bears and will further the goals of applicable domestic legislation. The Agreement and its implementing legislation will represent a major step forward for polar bear conservation, and will enhance our collaborative efforts with Russia to conserve shared natural resources. We look forward to working with the Subcommittee to ensure introduction and passage of the implementing legislation.

Conclusion

Mr. Chairman, in closing, I would like to state that this Administration is committed to conserving and managing salmon and polar bears by working with our partners in a cooperative fashion. In particular, I want to emphasize the commitment to continued collaboration with U.S. and Canadian fishers, the State of Alaska, and our partners in the Native community to conserve and manage these species. We believe we can be more effective at addressing our conservation responsibilities, and look forward to working with you and members of the Subcommittee and full Committee to reauthorize the Yukon River Salmon Act and legislation to implement the U.S. - Russia Polar Bear Agreement during this Congress.

Mr. Chairman, this concludes my remarks. I would be happy to answer any questions.

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